

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ENTESAR OSMAN KASHEF, *et al.*,

Plaintiffs,

-against-

BNP PARIBAS S.A., BNP PARIBAS S.A. NEW
YORK BRANCH, BNP PARIBAS NORTH
AMERICA, INC., and DOES 2-10,

Defendants.

No. 1:16-Civ-03228-AJN

Hon. Alison J. Nathan

STIPULATION AND ORDER

Plaintiffs and Defendants BNP Paribas S.A., BNP Paribas New York Branch, and BNP Paribas US Wholesale Holdings, Corp. (f/k/a BNP Paribas North America, Inc.) (the “BNPP Defendants”) hereby agree and stipulate to the following:

WHEREAS, Plaintiffs filed a Complaint in the above-captioned action on April 29, 2016, ECF No. 1, an Amended Complaint on August 23, 2016, ECF No. 30, and a Second Amended Complaint on January 20, 2017, ECF No. 49;

WHEREAS, Plaintiffs filed a motion for leave to file a Third Amended Complaint and for Plaintiffs Jane Doe, Jane Roe, Judy Doe, John Doe, and Judy Roe to proceed or continue proceeding anonymously on June 7, 2021, ECF No. 236 (the “Motion”);

WHEREAS, Plaintiffs included in their Motion papers copies of the Proposed Third Amended Complaint (ECF No. 237-1) and accompanying exhibits (ECF Nos. 237-2 and 237-3);

WHEREAS, the BNPP Defendants will not object to the Motion in view of the parties' agreement that all of the BNPP Defendants' rights, claims, and defenses in connection with the claims asserted in the Proposed Third Amended Complaint are expressly preserved;

NOW THEREFORE, the parties, by and through their undersigned counsel, HEREBY STIPULATE AND AGREE THAT:

1. Plaintiffs' Motion is resolved pursuant to this Stipulation and Order;
2. Plaintiffs shall file the Third Amended Complaint and Exhibits, in the form of the Proposed Third Amended Complaint accompanying their Motion papers (ECF Nos. 237-1, 237-2, and 237-3), on or before five (5) days following the entry of this Stipulation and Order;
3. Plaintiffs Jane Doe, Jane Roe, Judy Doe, John Doe, and Judy Roe are permitted to proceed or continue to proceed anonymously, and Plaintiffs are hereby directed to disclose the true names of Plaintiffs Jane Doe, Jane Roe, Judy Doe, John Doe, and Judy Roe to the BNPP Defendants promptly after entry of a Protective Order Regarding Confidential Discovery Material, which is currently being negotiated by the parties;
4. The BNPP Defendants shall answer the Third Amended Complaint on or before thirty (30) days following Plaintiffs' filing of the Third Amended Complaint;
5. All of the BNPP Defendants' rights and defenses they may have in this action are expressly preserved, and the filing of this Stipulation and the Third Amended Complaint shall be without prejudice to any rights, claims, and defenses, and the amendments provided for therein shall in no way impair or waive any of the BNPP Defendants' rights to raise any defense in response to Plaintiffs' claims.

Dated: June 17, 2021

Respectfully submitted,

/s/ Brent W. Landau

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Pursuant to section 8.5(b) of the Electronic Case Filing Rules & Instructions for the United States District Court for the Southern District of New York, the use of conformed electronic signatures is with the consent of all signatories to this filing.

SO ORDERED:



Hon. Alison J. Nathan
United States District Judge

Dated: June 22, 2021